

Amendment No. 1 to HB0881

McManus
Signature of Sponsor

AMEND Senate Bill No. 1145*

House Bill No. 881

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 6, is amended by adding the following language as a new part:

56-6-1201. For purposes of this part:

(1) "Commissioner" means the commissioner of commerce and insurance;

(2) "Exchange" means any health benefit exchange established or operating in this state, including any exchange established or operated by the United States department of health and human services; and

(3) "Navigator" means any person, other than an insurance producer, who:

(A) Receives any funding, directly or indirectly, from an exchange, this state or the federal government to perform any of the activities and duties identified in 42 U.S.C. § 18031(i);

(B) Facilitates enrollment of individuals or employers in health plans or public insurance programs offered through an exchange;

(C) Conducts public education or consumer assistance activities for, or on behalf of, an exchange; or

(D) Is described or designated by an exchange, this state or the United States department of health and human services, or could reasonably be described or designated as, a navigator, an in-person assister, enrollment assister, application assister or application counselor.

Amendment No. 1 to HB0881

McManus
Signature of Sponsor

AMEND Senate Bill No. 1145*

House Bill No. 881

56-6-1202. No navigator shall sell, solicit or negotiate any policy of insurance, either within or outside of an exchange.

56-6-1203. The commissioner may:

- (1) Issue a cease and desist order to a navigator for violating state or federal law pertaining to an exchange, and
- (2) Seek injunctive relief against a navigator acting in violation of state or federal law pertaining to an exchange.

56-6-1204. The commissioner may promulgate such rules and regulations as may be necessary or appropriate to regulate the activities of navigators as may be consistent with the Patient Protection and Affordable Care Act.

56-6-1205. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.